

Notice of Allowability

Application No.

10/612,241

Applicant(s)

LOVETTE ET AL.

Examiner

Tho v. Duong

Art Unit

3753

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/10/06.
2. ☒ The allowed claim(s) is/are 1-26, 28-55 and 57-81.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

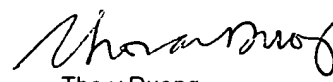
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 3/8/04; 9/3/04;
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
- ☐ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other _____


Tho v. Duong
Primary Examiner
Art Unit: 3753

Continuation Sheet (PTOL-37)

Application No.

Continuation of 3: 1/26/05; 2/1/05; 5/5/05; 3/15/06; 7/10/06 and 31/7/06

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DETAILED ACTION

Allowable Subject Matter

Claims 1-3,5-24,28-30,33-37,39-53,57-59 and 62-65 are allowed. Since the generic claims 1,21,35 and 50 are allowed, the previous restriction requirement has been withdrawn. Claims 4,25,26,31,32,38,54,55,60,61 and 66-81 are now rejoined. Therefore claims 1-26,28-55 and 57-81 are now allowed.

The following is an examiner's statement of reasons for allowance: the prior arts of record either taken singularly or in combination fails to disclose the claimed invention. Applicant's argument of the term "vertical stacked routes" (page 12, Applicant's argument, 12/5/05), is persuasive, in which the term "vertical stacked routes" is specifically defined on page 9, lines 9-11 in the specification. Furthermore, reference to Nakamura is the closest prior art, however, Nakamura's heat exchanger is a stacked plate heat exchanger to exchange heat between two fluids inside and outside of the tubes, which does not have a heat generating device coupled to a bottom surface of the interface layer.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Information Disclosure Statement

The form PTO-1449, filed March 4, 2004, has been initialed, signed and sent to the applicant in the Office Action mailed on 4/5/2005. The non-Patent literatures in PTO-1449 filed 3/8/04 are signed and attached in this Office Action.

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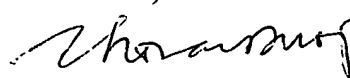
The Office has not received any PTO-1449 filed 8/31/04. However, a PTO-1449 filed 9/3/04 has been initialed, signed and sent to the applicant in the Office Action mailed on 4/5/05.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tho v. Duong whose telephone number is 571-272-4793. The examiner can normally be reached on M-F (first Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Keasel Eric can be reached on 571-272-4929. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Tho v Duong
Primary Examiner
Art Unit 3753



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August 21, 2006